

The Westiest Programs in Biden's Infrastructure Investment and Jobs Act

The act is the New Deal redux, with a splash of ecosystem restoration

By Jonathan Thompson
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The witness sat stoically before the Senate Finance Committee answering a barrage of questions regarding the crisis in which the nation was mired. The root cause of the nation's woes, they said, had nothing to do with debt, laziness, extravagance, or God, as other witnesses proposed, and everything to do with the maldistribution of wealth: The richest 1% of Americans had amassed 25% of the nation's cash, leaving a pittance for everyone else to share.

"It is a national disgrace that such suffering should be permitted in this, the wealthiest country in the world," the witness said. And how did he propose to dig us out of this hole? With a five-point plan for the federal government to redistribute the wealth by raising taxes on the rich, allocating funds for the poor and marginalized, and spending billions on a public works program to build up the nation's infrastructure and put people to work.

The witness was neither Sen. Bernie Sanders nor Rep. Alexandria Ocasio-Cortez; it was a man named Mariner S. Eccles, speaking in 1933. And he was neither a Marxist nor a socialist – not even a Democrat. A Mormon Republican, Eccles was one of the West's most prominent businessmen, head of a major bank and one of the construction companies that built the Hoover Dam, a man who would go on to head the Federal Reserve for more than a decade. He understood something that many of those questioning him did not: More equitable distribution of wealth and generous government spending is good for the economy. "The orthodox capitalistic system of uncontrolled individualism, with its free competition," he said, "will no longer serve our purpose."

The U.S. is not in a depression – at least not an economic one – but the gap between rich and poor has yawned beyond pre-Great Depression proportions, the politics are pathologically polarized, the populace has been ravaged by a pandemic, and the economy has been thrown off balance by COVID-related restrictions, supply chain snarls, and rising inflation. In hope of address-

ing these ills, on November 5, Congress finally ripped a page out of Eccles' playbook and passed the \$1.2 trillion, New Deal-esque Infrastructure Investment and Jobs Act. Congress is still wrangling over the even larger Build Back Better plan, which contains social initiatives and even more climate-oriented funding and reforms.

At more than 2,700 pages long, the Infrastructure Act, signed into law by President Joe Biden on November 15, is an epic. Like the New Deal – which incorporated many of Eccles' ideas – the current bill funds highway building, dam repair, railroads, and other public work projects. But it also expands the infrastructure net to include ecosystem restoration, wildfire mitigation, and electric vehicle charging infrastructure. It even has a program to bolster the number of women long-haul truck drivers. We combed through the act and pulled out the Westiest programs and measures.

Jump-starting the land-healing industry

Ever since the extraction industries started to decline decades ago, folks have been talking about replacing them with a "restoration economy" that would put people to work cleaning up old mines, reclaiming oil and gas sites, and so forth. It's never really taken off on a large scale. But the new bill might be the financial spark it needs. It includes:

- \$4.7 billion for federal agencies, tribes, and states to plug and reclaim orphaned oil and gas wells on public, private, state, and tribal lands. That amount won't cover all of the wells left behind by operators, but it may allow agencies to tackle the most hazardous ones. The funds are likely to employ thousands of oil and gas workers and reduce emissions of methane and other harmful gases. Still, the provision has come under criticism because it calls for states to consult with the Interstate Oil and Gas Compact Commission, which is cozy with industry, and because taxpayers, not industry, end up footing the bill.
- \$11.3 billion for the Abandoned Mine Reclamation Fund, intended for cleanup and remediation of coal mines. Priority will be given to projects employing current and former coal mine employees.
- \$3 billion for cleaning up the nation's thousands of abandoned hardrock mines, many of which ooze acidic, heavy metal-laden waters into streams, compromising aquatic and sometimes human health.

Meanwhile, the General Mining Law will remain much like it was when written in 1872, meaning mining companies will not be required to pay royalties to pull metals out of public lands – money that might have gone into a reclamation fund. Once again, taxpayers foot the bill.

- \$250 million for the U.S. Forest Service to improve fish passage by replacing culverts, removing barriers from passages, decommissioning unauthorized user created roads and trails, and reclaiming previously closed roads. Some of this cash will pay to make Forest Service infrastructure more climate resilient.

- \$2.13 billion for ecosystem restoration, including, but not limited to, hundreds of millions for federal contractors, states, and tribes to implement restoration projects on federal, state, or private land; \$200 million for invasive species detection, prevention, and eradication; and hundreds of millions for revegetation projects and riparian restoration.

Western water bonanza

Someone – and it wasn't Mark Twain – once said water flows uphill towards money. They also may have said money can't create water. But Congress is betting that some \$8 billion can wring a little more liquid out of an increasingly arid West and direct it where it's needed. The new law funds megadrought mitigation efforts, such as renting farmers' water to bolster in-stream flows and restoring aquatic ecosystems, and repairing – perhaps even removing – dams. "We are thrilled" by the passage of the act, Water for Colorado, a conservation coalition, said in a statement, noting that it could help address "increasingly dire drought conditions that threaten thriving rivers, healthy fish, and wildlife habitat."

- \$1.15 billion for water storage, groundwater storage, and conveyance projects
- \$1 billion for rural water projects
- \$1.25 billion for water recycling and desalination projects
- \$300 million to implement the Colorado River Basin Drought Contingency Plan – \$50 million of which goes to the Upper Colorado River plan
- \$400 million for aquatic ecosystem restoration, watershed health projects, and endangered species recovery in the Colorado River Basin
- \$2.5 billion to fund congressionally approved Indian water settlements, including the Navajo Utah Water Rights Settlement Act, which was passed by Congress last December

- \$3.5 billion for Indian Health Services water and sanitation projects

Wildfire-funding firestorm

The act not only throws resources at fire prevention, it also represents a shift in the way the government approaches wildfires and the people who fight them. A new federal occupational category will be created for wildland firefighters; they will get a pay raise, and 1,000 seasonal wildland firefighters will be converted to full-time, permanent, year-round federal employees. Additionally, \$3.37 billion will go toward projects and programs intended to reduce wildfire hazard, including forest thinning – a controversial practice that some see as ineffective and a license to increase logging – and prescribed burns.

- \$20 million to the National Oceanic and Atmospheric Administration for a 'Geostationary Operational Environmental Satellite Program' to rapidly detect and report wildfire starts
- \$500 million for mechanical thinning and timber harvesting "in an ecologically appropriate manner that maximizes the retention of large trees, as appropriate for the forest type, to the extent that the trees promote fire-resilient stands or precommercial thinning in young growth stands for wildlife habitat benefits"
- \$500 million for community wildfire defense grants to at-risk communities, with a priority for high wildfire hazard and low-income communities
- \$500 million for planning and conducting prescribed fires
- \$500 million for installing fuel breaks – another controversial technique
- \$200 million for post-fire restoration activities

Electrify!

The deal puts \$7.5 billion toward building a national electric vehicle charger network. This has the potential of big benefits for the rural West, where charge anxiety is common, given the vast spaces between towns and cities.

Hydrogen hubbub

The bill funds hydrogen research and development to the tune of \$8 billion. Although the funds are limited to "clean" hydrogen, it includes hydrogen made from fossil fuels – so long as carbon capture is used – nuclear power, and renewable energy. It would establish at least four regional hydrogen hubs from around the country. Western natural gas communities in Wyoming and New

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